

AMENDED IN SENATE APRIL 14, 2009

**SENATE BILL**

**No. 652**

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**Introduced by Senator Huff**

February 27, 2009

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*An act to add Section 6507.5 to the Government Code, relating to joint powers agreements. An act to add Article 5.3 (commencing with Section 14073) to Chapter 1 of Part 5 of Division 3 of Title 2 of the Government Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 652, as amended, Huff. ~~Joint powers agreements. Alameda Corridor-East Construction Authority.~~

*Existing law provides for the creation of a separate public entity pursuant to a joint powers agreement among existing public entities pursuant to the Joint Exercise of Powers Act.*

*This bill would provide that the Alameda Corridor-East Construction Authority and the San Gabriel Valley Council of Governments, a joint powers agency created pursuant to the Joint Exercise of Powers Act, of which the authority is a part, shall be considered political subdivisions of the state, and that these entities may be applicants for state or federal funds for projects within their jurisdiction.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law provides that the administering agency that is created by a joint powers agreement pursuant to the Joint Exercise of Powers Act is a public entity separate from the parties to the agreement.~~

~~This bill would provide that the administering agency created by a joint powers agreement shall be considered a political subdivision of~~

~~the state if one or more of the public agencies that entered into the agreement is a political subdivision of the state, including, but not limited to, a city, county, or district.~~

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Article 5.3 (commencing with Section 14073) is*  
2     *added to Chapter 1 of Part 5 of Division 3 of Title 2 of the*  
3     *Government Code, to read:*

4  
5     *Article 5.3. Alameda Corridor-East Construction Authority*

6  
7     *14073. The Alameda Corridor-East Construction Authority is*  
8     *a part of an existing joint powers authority, the San Gabriel Valley*  
9     *Council of Governments, formed pursuant to Chapter 5*  
10    *(commencing with Section 6500) of Division 7 of Title 1, which*  
11    *consists of the 29 cities in the San Gabriel Valley of Los Angeles*  
12    *County, the County of Los Angeles, and a joint powers agency*  
13    *consisting of three municipal water districts. The purpose of the*  
14    *Alameda Corridor-East Construction Authority is to mitigate the*  
15    *impacts of significant increases in rail traffic over 70 miles of*  
16    *mainline railroad in the San Gabriel Valley through the*  
17    *construction of multiple construction projects including near-term,*  
18    *low-cost mobility improvements that encompass safety upgrades*  
19    *and traffic signal control measures, and grade separations. The*  
20    *powers and duties of the Alameda Corridor-East Construction*  
21    *Authority are specified in Section 27 of the third amended and*  
22    *restated joint exercise of powers agreement, effective April 3, 2007.*

23    *14073.1. The Alameda Corridor-East Construction Authority*  
24    *and the San Gabriel Valley Council of Governments shall be*  
25    *considered political subdivisions of the state.*

26    *14073.2. The Alameda Corridor-East Construction Authority*  
27    *and the San Gabriel Valley Council of Governments may be*  
28    *applicants for state or federal funds for projects within their*  
29    *jurisdiction.*

30    *14073.3. It is the intent of the Legislature that, for the purpose*  
31    *of determining eligibility for the Federal Railroad Administration*

1 *program for Capital Grants for Rail Line Relocation and*  
2 *Improvement Projects, this article shall apply.*

3 *SEC. 2. This act is an urgency statute necessary for the*  
4 *immediate preservation of the public peace, health, or safety within*  
5 *the meaning of Article IV of the Constitution and shall go into*  
6 *immediate effect. The facts constituting the necessity are:*

7 *In order to clarify the status of the San Gabriel Valley Council*  
8 *of Governments and the Alameda Corridor-East Construction*  
9 *Authority for the purpose of obtaining access to immediately*  
10 *available federal funding, it is necessary that this act take effect*  
11 *immediately.*

12 ~~SECTION 1. Section 6507.5 is added to the Government Code,~~  
13 ~~to read:~~

14 ~~6507.5. The administering agency created by a joint powers~~  
15 ~~agreement shall be considered a political subdivision of the state~~  
16 ~~if one or more of the public agencies that entered into the~~  
17 ~~agreement is a political subdivision of the state, including, but not~~  
18 ~~limited to, a city, county, or district.~~